

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MUSIC CHOICE,	§	
	§	
Plaintiff,	§	
	§	No. 2:16-CV-00586-JRG-RSP
v.	§	(lead case)
	§	
STINGRAY DIGITAL GROUP,	§	
	§	
Defendant.	§	

ORDER

On October 30, 2017, Stingray moved to stay this case based, in part, on institution of IPR of all but two patent claims asserted by Music Choice. Motion to Stay [Dkt. # 164]. To give the parties a full opportunity to brief the motion, the Court granted Stingray's Motion to Adjourn [Dkt. # 157] in part and cancelled all remaining deadlines. Order [Dkt. # 167]. The Court also set a November 21, 2017 hearing on the Motion to Stay. Music Choice, however, did not timely respond to the motion.

Having reviewed Stingray's Motion to Stay [Dkt. # 164], the Court **GRANTS** the motion in the interest of judicial efficiency. The Court therefore:

- (1) **STAYS** this case and **CANCELS** the November 21, 2017 hearing. Any party may move to deconsolidate and proceed with Case No. 2:16-CV-00964. Prior to filing such a motion, however, the parties must meet and confer concerning scheduling for that case. The motion must be accompanied by a proposed

Docket Control Order reflecting scheduling agreements between the parties should the Court decide to deconsolidate. Any disagreements between the parties concerning scheduling should be reflected within the proposed DCO accompanying the motion.

- (2) The Court **DENIES** Stingray's Motion for Judgment on the Pleadings of Patent Ineligibility [Dkt. # 89] **WITHOUT PREJUDICE** to re-urge after the stay is lifted.

SIGNED this 14th day of November, 2017.



ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE